

Report Date: October 18, 2024

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Oct 18, 2024

SEAN F. McAVOY, CLERK

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Alberto Alejandro Martinez Case Number: 0980 2:22CR00165-TOR-1

Address of Offender: [REDACTED] Moses Lake, Washington 98837

Name of Sentencing Judicial Officer: The Honorable Anna J. Brown, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: October 18, 2017

Original Offense: Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine and Cocaine, 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii), (b)(1)(A)(ii) and 846

Original Sentence: Prison - 77 months Type of Supervision: Supervised Release
TSR - 60 monthsRevocation Sentence: Prison - 18 months
(April 13, 2023) TSR - 42 months

Asst. U.S. Attorney: Caitlin A. Baunsgard Date Supervision Commenced: April 15, 2024

Defense Attorney: Ryan Mark Farrell Date Supervision Expires: October 14, 2027

PETITIONING THE COURT

To issue a warrant.

On April 15, 2024, the conditions of supervision were reviewed with Mr. Martinez. He signed his judgment acknowledging an understanding of his conditions.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition #2:</u> You must not unlawfully possess a controlled substance. You must refrain from any unlawful use of a controlled substance, including marijuana, which remains illegal under federal law.
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Supporting Evidence: It is alleged that Mr. Martinez violated the conditions of his supervised release by using methamphetamine on or about September 5, 2024.

On October 18, 2024, the undersigned reviewed Mr. Martinez's substance abuse treatment report sent from the provider on October 15, 2024. The report indicated Mr. Martinez provided a urinalysis that tested positive for methamphetamine on September 5, 2024. Upon reviewing the substance abuse treatment report, the undersigned spoke with Mr. Martinez via telephone and he readily admitted to using methamphetamine on or about September 5, 2024.

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- 2 **Mandatory Condition #3:** You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

Supporting Evidence: It is alleged that Mr. Martinez violated the conditions of his supervised release by using methamphetamine on or about September 17, 2024.

On October 18, 2024, the undersigned reviewed Mr. Martinez's substance abuse treatment report sent from his provider on October 15, 2024. The report indicated he provided a urinalysis that tested positive for methamphetamine on September 17, 2024. Upon reviewing the substance abuse treatment report, the undersigned spoke with Mr. Martinez via telephone and he readily admitted to using methamphetamine on or about September 17, 2024.

- 3 **Standard Condition #4:** You must be truthful when responding to the questions asked by your probation officer.

Supporting Evidence: It is alleged that Mr. Martinez violated the conditions of his supervised release by being untruthful with his supervising probation officer in respect to questions about his sobriety.

On October 2, 2024, the undersigned made contact with Mr. Martinez prior to him entering into his substance abuse treatment provider appointment. The undersigned inquired if he had been remaining abstinent from controlled substances and he responded in the affirmative to this question. Upon review of Mr. Martinez substance abuse treatment report on October 18, 2024, which indicated the aforementioned positive urinalysis results, the undersigned spoke with him via telephone. Mr. Martinez was confronted regarding this information and he readily admitted to relapsing on methamphetamine and subsequently apologized for his dishonesty to the undersigned on October 2, 2024.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 18, 2024

s/Jonathan C. Bot

Jonathan C. Bot
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Thomas O. Rice
United States District Judge

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Date